Guidance for 704 KAR 19:002

Alternative Education Programs in Kentucky

Kentucky Department of Education
Office of Next Generation Schools and Districts
Division of Student Success
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Contact: Tom Edgett or Sherri Clusky @ (502) 564-4772
Alternative Education Programs website

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<u>Introduction</u>

Historically, alternative programs have been for students with challenging or unacceptable behaviors as defined by district or school codes of conduct. The Kentucky Department of Education (KDE) is moving forward to help districts rethink alternative programs to focus meeting the needs of each student based on innovative paths, digital learning and other alternative means to provide rich and challenging learning environments that promote high levels of student engagement, achievement and success. This new approach will allow for a continuum of opportunities to be made available for students who are not thriving or experiencing success in a traditional setting. We are encouraging schools to think outside the box to offer or develop alternatives that support and challenge ALL kids to be college, career, and life ready.

KRS 156.070 grants the Kentucky Board of Education the authority over the management and control of programs operated in the common schools. KRS 156.160 grants the Kentucky Board of Education the specific authority to promulgate administrative regulations that establish standards which school districts shall meet in program service to students.

This document provides guidelines for schools and districts in Kentucky to assist with the implementation of the new Alternative Education Programs regulation.

Part 1: Definitions

The following definitions are included in [704 KAR 19:002](#), Alternative Education Programs regulation or have been defined for the purposes of this guidance document.

A5 Alternative Program - An alternative program is a district–operated and district–controlled facility with no definable attendance boundaries. It is designed to remediate academic performance, improve behavior or provide an enhanced learning experience. The composition and characteristics of participants may change frequently and these are controlled by the local school district student assignment practices and policies.

A6 Alternative Program - An alternative program funded by Kentucky Education Collaborative for State Agency Children (KECSAC) serving state agency children. These students may be involved with Department of Juvenile Justice, Department of Community Based Service (foster care), or Department for Behavioral Health, Developmental and Intellectual Disabilities.

Alternative Education - A program that exists to meet the needs of students that cannot be addressed in a traditional classroom setting but through the assignment of students to alternative classrooms, centers, or campuses that are designed to remediate academic performance, improve behavior, or provide an enhanced learning experience. Alternative education programs do not include career or technical centers or departments.

Blended Learning - Blended learning classrooms mix face-to-face and online learning. Blended learning classrooms may take best practices from online learning as well as traditional classroom instruction and support for students.

Blended Learning Classrooms - Classrooms using best practices from both online/digital instruction and face-to-face instruction.

Credit Recovery - Courses offered allowing students to make up credit for a class they have failed to pass or to help bring students up to grade level.

Credit Recovery Programs - Programs that aim to help schools graduate more students by giving students who have fallen behind the chance to "recover" credits through a multitude of different strategies, often online. Credit Recovery is an authentic learning situation with rigor and relevance, where academic progress is measured and assessed by the assigned classroom teacher. On-going communication and feedback is essential between the teacher and student to ensure academic progress.

Digital Learning – Digital learning involves the use of instructional technology in the learning environment to increase student engagement, achievement, and differentiation. Instructional technology may include digital tools and content such as: computers, tablets, eReaders, interactive white boards, clicker systems, hand held

devices, cell phones, graphing calculators, digital media tools, online courses, online tutorial software, online media and resources.

Individual Education Program or "IEP"- A written statement for a child with a disability, developed, reviewed and revised in accordance with 707 KAR 1:320.

Individual Learning Plan or "ILP"- A comprehensive framework for advising students in grades six (6) through twelve (12) to engage in coursework and activities that will best prepare them to both realize college and career success and become contributing members of their communities.

Individual Learning Plan Addendum or "ILPA" - An action plan that addresses the changed educational needs of a student based upon entry into or exit from an alternative education program that includes, as appropriate, academic and behavioral needs of the student, criteria for the student's re-entry into the traditional program, and provisions for regular review of the student's progress throughout the school year while in an alternative education program.

Innovative Path - A new or creative alternative to existing instructional practices intended to address the unique needs of student learning and student performance of all students.

Involuntary Placement - The placement of a student in an alternative education program by local district school personnel to ensure the safety of the individual student, the student body, or staff; to meet the educational needs of the student; to transition the student to a placement as a state agency child pursuant to KRS 158.135 and 505 KAR 1:080; or for disciplinary purposes.

Off-site program - An alternative education program located in a separate and dedicated program facility not located within the student's assigned school.

On-site program - An alternative education program is located within the student's assigned school.

Virtual Classes – Courses consisting of standards-based content and skills digitally delivered in a virtual setting taught by a qualified instructor in a location.

School/Location Code - A number assigned to a school or program by the state for identification and data entry/collection within the student information system.

Technical Education Database System (TEDS) – TEDS is the authoritative source for all career readiness data and provides helpful tools and resources to verify and correct career readiness data.

Voluntary Placement – Voluntary placement means the placement of a student in an alternative education program at the request of the parent or emancipated student and with the agreement of school personnel to better address the educational needs of a student.

Part 2: General Requirements for Alternative Programs

Districts shall have a written policy to ensure that alternative education programs are aligned with college and career readiness outcomes for all students and a written procedure for continuous monitoring of student's progress toward Kentucky Common Core Academic standards in 704 KAR 3:303 and student's Individual Learning Plan (ILP) goals. A student's ILP and Individual Learning Plan Addendum (ILPA) may contain similar information. However, the ILPA will be required in addition to the ILP for students attending an alternative education program according to the regulation and guidelines in Part four of this document.

Students enrolled in alternative programs should be subject to the same minimum graduation requirements and any other local district graduation requirements.

Districts will establish written policies and procedures for alternative programs to include the following:

The policy must identify the purpose of the program. KDE recommends a policy identify the purpose of the program as well as mission and vision and include a process on how the district will check for ongoing and continuous improvement so all students are college and career ready. The Kentucky School Board Association assists schools with development of school board policies.

- KDE recommends districts establish written policies and procedures to annually review and update as needed alternative program curriculum to ensure it is not limited in scope, or design and meeting the needs of all enrolled students. Evidence may include units and lesson plans aligned with and identifying Kentucky Common Core Academic Standards.
- All professional development in the district should be made available to alternative program staff. Evidence may include training of staff and administrators in best practices for instruction to ensure all students are college and career ready. Documentation may also include summary of notes from trainings and meetings attended and attendee's signature pages.

The policy should define the process in which students are recommended and enrolled into the alternative program. Each district needs to establish a committee for transitioning students into and out of the alternative program.

- It is recommended that a process needs to be in place to ensure documented continuous progress monitoring for students.
- KDE recommends processes be in place for follow up with students who have transitioned back to their referring school should be in place to ensure students remain on track for college and career readiness.
- 704 KAR 19:002 requires students enrolled in an alternative program to have an ILPA. KDE recommendations and guidelines for the ILPA are listed in part 4 of this document.
- Established procedures for collaboration and communication with outside agencies involved with involuntary placements, including but not limited to courts and other social services agencies, to ensure successful transition for students moving between programs.

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Part 3: Placement of students and transition

Districts will establish written policies and procedures for alternative programs to include each of the following:

The placement of students to an alternative program by the district shall be either voluntary or involuntary.

A student entering an alternative program shall meet the eligibility requirements for entering the program as adopted by local boards pursuant to regulation 704 KAR 19:002, section 2.

A process shall be developed and reviewed annually for students entering and exiting an alternative program. This process shall include:

- Eligibility Criteria, as appropriate
- Collaboration with outside agencies involved with involuntary placements, which may include courts or social service agencies
- Students with an IEP shall be placed only through the students admissions and release committee (ARC)
- Students with a 504 shall be placed only through the recommendations of the 504 team
- For students with disabilities, the IEP shall address the changed educational delivery needs of the student based on entry into and exit from the alternative program

It is recommended each district develop and adopt an action plan that addresses the changed educational needs of a student based upon entry into or exit from an alternative education program. The action planning process is an essential part of effective transitioning for students to ensure minimal interruption of educational services and learning. Best practices may include the following:

- Transition will need to include both the referring school and alternative program as a safeguard for high levels of collaboration and communication that address the educational needs of the student (i.e., academic, behavior, emotional, learning needs, CCR goals) to ensure the student stays on course for high school graduation and college/career ready.
- A part of the transition process back to the referring school, planning will need to occur to ensure student for a successful and sustained re-entry. Staff that will be working directly with the student should be a part of the planning process.

A Career and Technical Education (CTE) student has been placed in alternative program:

- If student is placed in an alternative program and is enrolled in a CTE program at the A1 School, then
  - BEFORE end dating existing enrollment, create an enrollment at the alternative program with a start status of R02, start date as first day enrolled in alternative
  - THEN open enrollment at the A1 School and enter an end status of W02, with an end date as the last day of attendance
  - This will keep the TEDS record for the CTE program active at the student's A1 school

Part 4: Individual Learning Plan Addendum and Data Collection

Obtaining a School Number

Each district shall utilize the state-adopted student information system (Infinite Campus) for each student enrolled in an alternative program. Off-site programs without a school/location number are required to apply for one with KDE and will be assigned a number. Reasons for obtaining a school number for an alternative program are:

- o   Monitoring of programs effectiveness. Although not explicitly required by the regulation, tracking purposes are best served if the ILP-A is developed within 10 days of a student leaving the regular classroom.
- o   Teacher and administrative accountability
- o   Effective tracking of students (physical location for safety accounting and attendance)

For districts enrolling students in an alternative program within a different district:

- o   The alternative program (where the student is receiving services) will be responsible for tracking of the student's records attendance, grades, etc.
- o   The referring school/district will be the school accountability. For the purposes of tracking within Infinite Campus:
  - o   Select **District of Accountability** as referring district and select **School of Accountability** as the referring school. This will ensure the home district receives the accountability results for this student.

On-site Alternative Programs (within the school building or campus)

- o   For the purposes of tracking within Infinite Campus, on-site alternative programs will need to utilize the course sections for the content classes received in the alternative program within Infinite Campus indicating Special Course Type = Alternative. This may also be used for students taking only 1 or 2 courses within the on-site alternative program.

Tracking of expenditures

Each district shall use the statewide financial management system and chart of accounts to track costs and expenditures associated the operation of districts alternative program. Expenditures associated with alternative programs should be coded in MUNIS by utilizing the following program codes:

- o   Program code 451 – Alternative Education. Activities for students assigned to alternative campuses, centers, or classrooms designed to provide improved behavior modification and/or an enhanced learning experience.
- o   Program code 452 – At Risk Education. Activities for students, who may, for either personal or scholastic reasons, be at risk to drop out of school.

Individual Learning Plan Addendum

The Individualized Learning Plan Addendum (ILPA) will be required for all districts to use beginning with the 2014-2015 school year in Infinite Campus. Ongoing support and training will be provided to the districts by KDE. The required components of the ILPA are cited below as well as referenced under Placement and Transition of Students section of this document.

All districts shall develop an ILPA for each student who is removed from their regular classroom placement with the exception of short term suspensions.

- A team shall be established for the development and completion of a student's ILPA. The team shall include an invitation to parents to participate as well as the student when appropriate.
- School personnel from both the alternative school and referring school should be included on the team: KDE recommends the inclusion of teachers, administrators, guidance counselors and outside agencies when appropriate.
- The ILPA shall include as appropriate:
  - Academic and behavior needs of the student
  - Criteria for the student's re-entry into the traditional program.
  - Provisions for regular review of the student's progress throughout the school year while in an alternative education program.

On-going progress monitoring and routine assessments will need to occur as outlined in the Individual Learning Plan Addendum (ILPA) to ensure student needs are being met and achievement is occurring at rigorous levels. Progress of the student's goals and objectives should be monitored on a regular basis. KDE recommends monitoring progress of the student's goals and objectives on the same timeline as progress is reported in the other schools in your district. This may include:

- Formative & summative assessments,
- Standardized testing (MAP, TABE, etc.),
- Behavioral assessments or other progress monitoring tools.

In order to effectively plan and support the student, KDE recommends the ILPA team identify and document strengths of the student and how those can be utilized to enhance success. These can include but are not limited to communication abilities, leadership, areas of interest, extracurricular interests, and career interests as well as any academic success and interests. Areas of concern will need to be identified using current progress monitoring (formative and summative depending on the time in the alternative program).

Part 5: Curriculum and Student Access

Each district shall develop and adopt a policy to ensure the alternative program curriculum is aligned with college and career readiness outcomes for all students.   Teachers not highly qualified in the subject area in which they are teaching are required to use curriculum that has been developed by highly qualified staff in the appropriate subject area. It is the responsibility of the principal/district to have documentation available to verify review of these curricula. To determine if a teacher meets highly qualified teacher status use the following link: **https://wd.kyepsb.net/EPSB.WebApps/HQCalculator/**

Students enrolled in alternative programs should have opportunities to participate in one or more types of programs that address specific learning needs of the student. These may include:

- digital and blended learning classrooms
- online courses
- credit recovery programs
- hands on activities
- innovative paths to ensure college and career readiness for students

Districts shall develop and adopt a process to ensure alternative program curriculum is aligned with Kentucky Core Academic Standards as outlined in 704 KAR 3:305.

Local boards of education may consider different graduation requirements for schools in their districts, but all students must meet the minimum credits for graduation as set forth in 704 KAR 3:305.

Students enrolled in alternative programs should have equal access to district resources including:

- Textbooks and other educational resources
- Technology available to regular program students
- District Library and district Library Media Specialists
- Participation in extra-curricular activities when eligible

Part 6: Personnel and Staffing

Alternative schools and programs are not required to have a certified school principal on staff.

Alternative schools and programs are not required to have a Site Based Decision Making (SBDM) council.

Alternative school teachers are required to meet all the same teacher certification requirements as other district certified staff.   Teachers not highly qualified in the subject area in which they are teaching are required to use curriculum that has been reviewed regularly by highly qualified staff. To determine if a teacher meets highly qualified teacher status use the following link:
https://wd.kyepsb.net/EPSB.WebApps/HQCalculator/

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Alternative programs are not required to have a certified special education teacher on staff, unless it is specifically stated within a student's IEP as a requirement to meet the student's needs. Alternative program teachers are required to collaborate with the district's special education staff to ensure the IEP is being implemented.

Districts shall ensure that alternative programs include best practices training for all staff and administrators. This includes alternative program teachers and staff participating in district professional development opportunities.

The staff within the Division of Student Success is available to provide technical assistance as part of implementation and compliance of 704 KAR 19:002 as well as support best practices for students receiving alternative education services.

Division of Student Success

502-564-4772